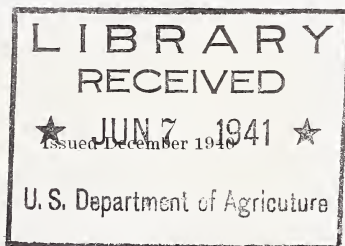


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## FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE CAUSTIC POISON ACT

[Given pursuant to section 9 of the Caustic Poison Act]

100-102

[Approved by the Federal Security Administrator, Washington, D. C., November 16, 1940]

**100. Misbranding of Jan-O Insecticide. U. S. v. Janitors Supply House, Inc. Plea of guilty. Fine, \$15 and costs. (C. P. A. No. 111. Sample No. 47737-D.)**

This product was a dangerous caustic or corrosive substance in packages suitable for household use and was not labeled in compliance with the requirements of the law prescribing the labeling of such substances.

On April 30, 1940, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Janitors Supply House, Inc., Baltimore, Md., alleging shipment in interstate commerce on or about August 29, 1939, from the State of Maryland into the District of Columbia of a quantity of Jan-O Insecticide, which was a dangerous caustic or corrosive substance in packages suitable for household use within the meaning of the Federal Caustic Poison Act.

The article was alleged to be misbranded in that it contained carbolic acid in a concentration of 5 percent or more, and the label did not bear a statement giving the common name of the said dangerous caustic or corrosive substance, it did not bear the word "Poison," and it did not bear or contain any directions for treatment in case of accidental personal injury.

On June 5, 1940, a plea of guilty was entered, and the court imposed a fine of \$15 and costs for violation of both acts.

PAUL V. McNUTT, *Administrator.*

**101. Misbranding of muriatic acid. U. S. v. The Behrens Drug Co., Inc. Plea of guilty. Fine, \$100. (C. P. A. No. 112. Sample No. 71193-D.)**

This product was a dangerous caustic or corrosive substance in packages suitable for household use; but its labeling did not bear the warning "Poison" nor directions for treatment in case of accidental personal injury, as required by law.

On May 24, 1940, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed an information against the Behrens Drug Co., Inc., Lubbock, Tex., alleging shipment by said company in violation of the Federal Caustic Poison Act, on or about December 5, 1939, from the State of Texas into the State of New Mexico of a quantity of muriatic acid (hydrochloric acid) that was misbranded.

It was alleged in the information that the article contained hydrochloric acid in a concentration of 10 percent or more, was a dangerous caustic or corrosive substance in a retail container suitable for household use, and was misbranded in that its label did not bear or contain the word "Poison" nor directions for treatment in case of accidental personal injury.

On May 27, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100 and costs.

PAUL V. McNUTT, *Administrator.*

**102. Misbranding of Young's Preparation. U. S. v. 33 Bottles of Young's Preparation. Default decree of condemnation and destruction. (C. P. A. No. 116. Sample No. 537-E.)**

This product contained acetic acid, a dangerous caustic or corrosive substance, in a concentration of 20 percent or more, and it was in packages suitable for household use; but its label did not bear the word "Poison" nor directions for treatment in case of accidental personal injury.

On or about July 8, 1940, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed a libel praying seizure and condemnation of 33 bottles of Young's Preparation at Jacksonville, Fla.; alleging that the article had been shipped in interstate commerce on or about May 31, 1940, by O. L. Brunson from Waycross, Ga.; and charging that it was misbranded in violation of the Federal Caustic Poison Act.

It was alleged in the libel that the article contained acetic acid in a concentration of 20 percent or more, was a dangerous caustic or corrosive substance in packages suitable for household use, and was misbranded in that its label did not bear the word "Poison" nor directions for treatment in case of accidental personal injury.

The article was also charged with being misbranded in violation of the Federal Food, Drug, and Cosmetic Act, as reported in notices of judgment published under that act.

On September 9, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

PAUL V. McNUTT, *Administrator.*